

FILED
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

AARON H. BROOKS 2002 JAN -4 P 12: 03

v. CLERK'S OFFICE : CIVIL ACTION NO. MJG-01-3993
AT BALTIMORE

DEPARTMENT OF HEALTH AND DEPUTY
MENTAL HYGIENE

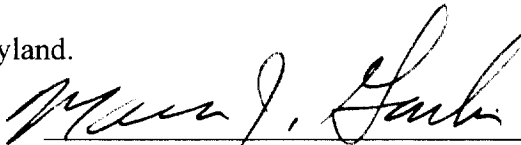
MEMORANDUM

On December 18, 2001 Aaron H. Brooks, a Baltimore resident, filed what has been construed as a petition for writ of mandamus, seeking to compel officials in various Maryland State agencies to provide him with copies of documents concerning a consent decree involving a State mental health facility, despite his inability to pay for same.¹ Although petitioner did not provide the necessary affidavit, the undersigned will grant him leave to file his petition *in forma pauperis*, pursuant to 28 U.S.C. §1915(a).

Federal district courts have original jurisdiction of any action in the nature of mandamus to compel an officer or employee of the United States or one of its agencies to perform a duty owed to a petitioner, pursuant to 28 U.S.C. § 1361. However, this federal district court has no mandamus jurisdiction over the State or its employees and cannot compel various State agencies to provide petitioner with free copy work relating to litigation to which the State was a party. *See generally Gurley v. Superior Court of Mecklenburg County*, 411 F.2d 586-87 (4th Cir. 1969).

Accordingly, a separate Order shall be entered dismissing the instant petition, without requiring a response from the State of Maryland.

1/3/02
(Date)


Marvin J. Garbis
United States District Judge


¹

The consent decree in question, *Coe v. Hughes, et al.*, relates to Civil Action No. K-83-4248. 